

Message Text

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PAGE 01 JIDDA 04963 050955Z
ACTION SS-25

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R 050907Z JUL 78
FM AMEMBASSY JIDDA
TO SECSTATE WASHDC 2593
INFO AMCONSUL DHAHRAN
USLO RIYADH

C O N F I D E N T I A L JIDDA 4963

EXDIS

E.O. 11652: GDS
TAGS: CASC, SA
SUBJECT: PROLONGED DETENTION OF AMCITS

REF: STATE 168928

1. IN ACCORDANCE WITH INSTRUCTIONS IN REFTEL, I MADE SEPERATE PRESENTATIONS ON 4 JULY IN RIYADH TO PRINCE TURKI AL FAISAL, DIRECTOR OF INTELLIGENCE AND PRINCE SAUDD AL FAISAL, FOREIGN MINISTER ON SUBJECT OF USG CITIZENS.

2. SUBJECT BECAME ESPECIALLY CRITICAL IN VIEW OF DEVELOPMENTS IN CASES OF WILDON AND CLIFFORD. CONGEN DHAHRAN HAD REPORTED '(JIDDA 4943) THAT BOTH SUBJECTS WOULD ACCEPT LASHINGS IN ORDER TO EXPEDITE DEPARTURE FROM COUNTRY.

3. I CONFERRED WITH OFFICIALS AT DAHRAN ON EVENING OF 3 JULY AND DETERMINED THAT ALL AVENUES TO AVOID INFLECTION OF CORPORAL PUNISHMENT ON SUBJECTS SHOULD BE EXHAUSTED BEFORE INDIVIDUALS INSISTED ON RECEIVING LASHES WITH ATTENDANT CONSEQUENCES AS OUTLINED REFTEL.
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4. ACCORDINGLY, I REQUESTED APPOINTMENTS AT EARLIEST POSSIBLE MOMENT WITH PRINCE TURKI, PRINCE SAUD AND PRINCE NAIF, MINISTER OF INTERIOR.

5. REASON FOR APPOINTMENT WITH TURKI IS HIS UNOFFICIAL BUT WELL DEFINED RESPONSIBILITY TO COORDINATE

EFFORTS TO IMPROVE ARAB IMAGE IN U.S.

6. NAIF AS MINISTER OF INTERIOR HAS PRIMARY APPELLATE JURISDICTION ON VIRTUALLY ALL CRIMINAL CASES INCLUDING THOSE OF ABOVE-MENTIONED SUBJECTS.

7. AFTER PRESENTATION OF POINTS IN REFTEL, TURKI STATED THAT SITUATION NEEDED OVERALLL SOLUTION THAT COULD BEST BE REACHED BY A CONSULAR CONVENTION. WE POINTED OUT THAT WE HAD INITIATED SUCH STEPS AND WERE ANXIOUS TO PROCEED.

8. TURKI POINTED OUT DIFFICULTIES IN ACCOMODATING ISLAMIC LAW TO WESTERN PERSONS; LIKEWISE ASKED IF WESTERN (U.S.) LAW SOULD BE ADJUSTED FOR SAUDI CITIZENS, AS FOR EXAMPLE MAKING IT ILLEGAL TO SELL LIQUOR TO SAUDIS IN U.S.

9. I TOLD HIM THAT THOSE WERE PRACTICAL DETAILS THAT WE COULDN'T SOLVE NOW, THAT WHEN PEOPLE WANTED TO CONSUME INTOXICANTS NO LAW OR TREATY EVER DEPOSED COULD OR HAD PREVENTED THEM FROM DOING SO AND WE NEEDED TO THINK OF THE POLITICAL AS WELL AS THE LEGAL ASPECTS OF CRIMES RESULTING IN FLOGGING.

10. TURKI AGREED THAT POLITICAL ASPECTS FAR OUTWEIGHED LEGAL, BUT PROBLEM WAS ARRIVING AT A POLITICAL SOLUTION TO A LEGAL PROBLEM.
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11. HE SAID THAT PRINCE NAIF COULD WAIVE PUNISHMENT AND THE POLITICAL ISSUES SHOULD BE EXPLAINED TO HIM.
ANY APPEAL FOR MERCY SHOULD GO FIRST TO NAIF AND THEN TO KING.

12. TURKI SAID SAUD'S SUPPORT AND INTERVENTION WITH NAIF MOST IMPORTANT. HE FELT THAT SAUD COULD SHOW NAIF THE POLITICAL/PUBLIC OPINION EFFECTS OF FLOGGING AND HELP PERSUEADE NAIF TO WAIVE SAME.

13. EMBASSY WAS CALLING BOTH SAUD AND NAIF FOR APPOINTMENTS AND SAUD SAW US AT 2:30 PM 4 JULY.

14. POINTS OF REFTEL MADE WITH HIM AND WE HAD MUCH THE SAME DISCUSSION AS WITH BROTHER TURKI. SAUD REFLECTED STRONGER, MORE NATIONALISTIC VIEW BY SUCH COMMENTS AS:
"OUR LEGAL SYSTEM IS NOT GEARED TO OUR PUBLIC IMAGE IN THE WEST. WE CANNOT HAVE DOUBLE STANDARDS, WE ARE ALREADY EXPERIENCING BAD FEELINGS IN SAUDI ARABIA BECAUSE OF FAVORED TREATMENT GIVEN FOREIGNERS. YOU MUST INFORM YOUR PEOPLE WHEN THEY COME TO SAUDI ARABIA OF OUR LAWS AND THE NECESSITY OF ABIDING BY

THEM. WE CANNOT TELL OUR JUDGES HOW TO
JUDGE, ESPECIALLY FOR THEM TO HAVE THEIR DECISIONS
AFFECTED BY U.S. PUBLIC OPINION."

15. AFTER FOREGOING DISSERTATION, SAUD AGREED THAT POLITICAL/
PUBLIC RELATIONS WERE MOST IMPORTANT AND AGREED THAT HE WOULD
DO EVERYTHING HE COULD TO HELP SOLVE PROBLEM ALTHOUGH HE STATED
PLAINLY THAT HE WAS NOT OPTIMISTIC AND MADE NO PROMISES OF
FAVORABLE RESULTS.

16. WE AGREED TO GIVE SAUD, NOT LATER THAN 5 JULY,
A MEMORANDUM INCLUDING POINTS OF REFTEL PLUS SPECIAL
CIRCUMSTANCES OF WILDON AND CLIFFORD CASES.

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17. SAUD IN TURN PROMISED TO TAKE THE MATTER UP WITH NAIF.

18. I TOLD HIM THAT I WAS PREPARED TO COME BACK TO RIYADH
TOMMORROW TO SEE NAIF, BUT SAUD INDICATED THAT WOULD NOT
BE NECESSARY.

19. I THEN TOLD HIM THAT IF NAIF WOULD NOT WAIVE THE LASHES,
I FELT THAT I SHOULD APPEAL TO CROWN PRINCE FAHD
AND/OR KING KHALID FOR A COMMUTATION OF THOSE SENTENCES.
HE REPLIED THAT HE WOULD IN THAT CASE GO WITH ME.

20. I ANSWERED THAT I WOULD PREFER THAT HE BE THE CHIEF
COUNSEL WITH THE PLEA FOR MERCY AND CLEMENCY AND THAT I WOULD
BE HAPPY TO SERVE AS HIS ASSISTANT.
WEST

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